REMARKS/ARGUMENTS

Claims 119-121 and 123 remain pending in this application. In this submission, Applicants present additional references in support of Applicants' arguments presented in their response of November 9, 2005 and January 13, 2006, which are incorporated herewith in their entirety. Applicants note that some of the references listed in the enclosed Information Disclosure Statement are provided in the form of full-text articles, while others are provided as abstracts. Applicants submit that the full-text articles are provided solely because they are available, and that Applicants do not intend to make any distinction among the references, or to indicate that some references in the IDS are more pertinent or material than others.

Applicants respectfully traverse the present rejections.

Priority

Applicants maintain that they rely on the gene amplification assay (Example 92) to establish patentable utility for the claimed polypeptide, PRO1111. These results were first disclosed in U.S. Provisional Application 60/059121, filed September 17, 1997. For the same reasons discussed above under utility/ enablement, Applicants believe that U.S. Provisional Application 60/059121 provides at least one specific and substantial asserted utility for the claimed polypeptides. Thus, the present application is at least entitled to an effective filing date of **September 17, 1997**.

Without making a formal 35 U.S.C. §101 or 35 U.S.C. §112, first paragraph rejection, the Examiner maintains that the gene amplification data for PRO1111 "was minimal", and that the "most parsimonious explanation is aneuploidy". The Examiner further asserts that "no evidence of the chromosome bearing the PRO1111 was shown to be preferentially amplified (as opposed to other chromosomes. (see page 3, lines 2-4 of the Final Office action). The Examiner continues to reject the case based on references Hu *et al.*, Pennica *et al.*, Konopka *et al.*, Haynes *et al.* and further does not find the teachings of the Goddard or the Polakis declaration persuasive. Applicants respectfully traverse this rejection.

Arguments

As mentioned above, the references Hu *et al.*, Pennica *et al.*, Konopka *et al.*, Haynes *et al.* and the Goddard and Polakis declarations have been extensively discussed in the responses filed November 9, 2005 and January 13, 2006, which are incorporated herewith in their entirety.

Applicants maintain that the specification, as filed, provides sufficient disclosure to establish a specific, substantial and credible utility for the PRO1111 polypeptide of SEQ ID NO:229 and that the increase in gene amplification for the DNA encoding PRO1111 is sufficient to confer patentable utility to the instantly claimed PRO1111 polypeptides and its antibodies.

As discussed previously, it is not a legal requirement to establish a "necessary" correlation between an increase in gene copy number and protein expression levels or to find evidence that protein levels can be accurately predicted from gene amplification data. Instead, as discussed before, the evidentiary standard to be used throughout *ex parte* examination of a patent application is a preponderance of the totality of the evidence under consideration. Accordingly, the question is rather if it is more likely than not that a person of ordinary skill in the pertinent art would recognize such a positive correlation between gene amplification levels and protein levels. Applicants respectfully submit that when the proper evidentiary standard is applied, a correlation must be acknowledged.

Dr. Polakis states that "it remains a central dogma in molecular biology that increased mRNA levels are predictive of corresponding increased levels of the encoded protein." Applicants emphasize that the opinions expressed in the Polakis Declaration, including the quoted statement, are all based on his own factual findings.

Applicants further present a second Declaration by Dr. Polakis (Polakis II) that presents evidentiary data in Exhibit B. Exhibit B of the Declaration identifies 28 gene transcripts out of 31 gene transcripts (*i.e.*, greater than 90%) that showed good correlation between tumor mRNA and tumor protein levels. As Dr. Polakis' Declaration (Polakis II) says "[a]s such, in the cases where we have been able to quantitatively measure both (i) mRNA and (ii) protein levels in both (i) tumor tissue and (ii) normal tissue, we have observed that in the vast majority of cases, there is a very strong correlation between increases in mRNA expression and increases in the level of protein encoded by that mRNA." Accordingly, Dr. Polakis has provided the facts to enable the Examiner to draw independent conclusions regarding protein data.

Both Polakis Declarations (Polakis I and II) are further supported by the teachings in Molecular Biology of the Cell, a leading textbook in the field (Bruce Alberts, *et al.*, Molecular Biology of the Cell (3rd ed. 1994) (herein after Cell 3rd) and (4th ed. 2002) (excerpts attached as Exhibit 1). Figure 9-2 of Cell 3rd shows the steps at which eukaryotic gene expression can be controlled. The first step depicted is transcriptional control. Cell 3rd provides that " [f]or most genes transcriptional controls are paramount. This makes sense because, of all the possible control points illustrated in Figure 9-2, only transcriptional control ensures that no superfluous intermediates are synthesized." Cell 3rd at 403 (emphasis added). In addition, the text states that "Although controls on the initiation of gene transcription are the predominant form of regulation for most genes, other controls can act later in the pathway from RNA to protein to modulate the amount of gene product that is made." Cell 3rd at 453 (emphasis added). Thus, as established in Cell 3rd, the predominant mechanism for regulating the amount of protein produced is by regulating transcription initiation.

In Cell 4th, Figure 6-3 on page 302 illustrates the basic principle that there is a correlation between increased gene expression and increased protein expression. The accompanying text states that "a cell can change (or regulate) the expression of each of its genes according to the needs of the moment – *most obviously by controlling the production of its mRNA*." Cell 4th at 302 (Emphasis added). Similarly, Figure 6-90 on page 364 of Cell 4th illustrates the path from gene to protein. The accompanying text states that while potentially each step can be regulated by the cell, "the initiation of transcription is the most common point for a cell to regulate the expression of each of its genes." Cell 4th at 364 (emphasis added). This point is repeated on page 379, where the authors state that of all the possible points for regulating protein expression, "[f]or most genes transcriptional controls are paramount." Cell 4th at 379 (Emphasis added). Further support for Applicants' position can be found in the textbook, Genes VI, (Benjamin Lewin, Genes VI (1997)) (copy enclosed under Exhibit 1) which states "having acknowledged that control of gene expression can occur at multiple stages, and that production of RNA cannot inevitably be equated with production of protein, it is clear that the overwhelming majority of regulatory events occur at the initiation of transcription." *Genes VI* at 847-848 (Emphasis added).

Additional support is also found in Zhigang *et al.*, World Journal of Surgical Oncology 2:13, 2004 (copy enclosed in Exhibit 1). Zhigang studied the expression of prostate stem cell antigen (PSCA) protein and mRNA to validate it as a potential molecular target for diagnosis and treatment of human prostate cancer. The data showed "a high degree of correlation between PSCA protein and mRNA expression" *Zhigang* at 4. Of the samples tested, 81 out of 87 showed a high degree of correlation between mRNA expression and protein expression. The authors conclude that "it is demonstrated that PSCA protein and mRNA overexpressed in human prostate cancer, and that the increased protein level of PSCA was resulted from the upregulated transcription of its mRNA." *Zhigang* at 6. Even though the correlation between mRNA expression and protein expression occurred in 93% of the samples tested, not 100%, the authors state that "PSCA may be a promising molecular marker for the clinical prognosis of human Pca and a valuable target for diagnosis and therapy of this tumor." *Id.* at 7

Further, Meric *et al.*, Molecular Cancer Therapeutics, vol. 1, 971-979 (2002) (a copy enclosed in Exhibit 1) states the following:

> The **fundamental principle** of molecular therapeutics in cancer is to exploit the differences in gene expression between cancer cells and normal cells...[M]ost efforts have concentrated on identifying differences in gene expression at the level of mRNA, which can be attributable to either DNA amplification or to differences in transcription. Meric *et al.* at 971 (Emphasis added).

Those of skill in the art would not be focusing on differences in gene expression between cancer cells and normal cells if there were no correlation between gene expression and protein expression.

Together, the Declarations of Polakis, the accompanying references, and the excerpts and references provided above all establish that the accepted understanding in the art is that there is a reasonable correlation between changes in gene expression and the level of the encoded protein.

In addition to the supporting references previously submitted, Applicants submit herewith further references as additional support for their assertion that, changes in DNA levels generally lead to corresponding changes in the level of the encoded polypeptide.

For example, in a comprehensive study by Orntoft *et al.* (Mol. Cell. Proteomics. 2002; 1(1):37-45) (copy enclosed as Exhibit 2), the authors examined gene amplification, mRNA expression level, and protein expression in pairs of non-invasive and invasive human bladder tumors. *Id.* at Abstract. The authors examined 40 well resolved abundant known proteins, and found that "[i]n general there was a highly significant correlation ($p<0.005$) between mRNA and protein alterations. Only one gene showed disagreement between transcript alteration and protein alteration." *Id.* at 42, col. 2. The alternations in mRNA and protein included both increases and decreases. *Id.* at 43, Table II. Clearly, a correlation in 39 of 40 genes examined supports Applicants' assertion that changes in mRNA level generally lead to corresponding changes in protein level.

In a study by Wang *et al.* (Urol. Res. 2000; 28(5):308-15) (abstract attached as Exhibit 3) the authors report that down-regulation of E-cadherin protein has been shown in various human tumors. *Id.* at Abstract. In the reported study, the authors examined the expression of cadherins and associated catenins at the mRNA level in paired tumor and nonneoplastic primary prostate cultures. They report that "[s]ix of seven cases of neoplastic cultures showed moderately-to-markedly decreased levels of E-cadherin and P-cadherin mRNA. Similar losses of alpha-catenin and beta-catenin mRNA were also observed." *Id.* As Applicants' assertion would predict, the authors state that the mRNA measures showed "good correlation" with the results from protein measures. The authors conclude by stating that "this paper presents a coordinated down-regulation in the expression of E-cadherin and associated catenins at the mRNA and protein level in most of the cases studied." *Id.*

In a more recent study by Munaut *et al.* (Int. J. Cancer. 2003; 106(6):848-55) (abstract attached as Exhibit 4) the authors report that vascular endothelial growth factor (VEGF) is expressed in 64-95% of glioblastomas (GBMs), and that VEGF receptors (VEGFR-1, its soluble form sVEGFR-1, VEGFR-2 and neuropilin-1) are expressed predominantly by endothelial cells. *Id.* at Abstract. The authors explain that infiltrating tumor cells and newly-formed capillaries progress through the extracellular matrix by local proteolysis involving matrix metalloproteinases (MMPs). In the present study, the authors "used quantitative RT-PCR, Western blot, gelatin zymography and immunohistochemistry to study the expression of VEGF, VEGFR-1, VEGFR-2, sVEGFR-1, neuropilin-1, MT1-MMP, MMP-2, MMP-9 and TIMP-2 in

20 human GBMs and 5 normal brains. The expression of these MMPs was markedly increased in most GBMs with excellent correlation between mRNA and protein levels." *Id.* Thus, the results support Applicants' assertion that changes in mRNA level lead to corresponding changes in protein level.

In another recent study, Hui *et al.* (Leuk. Lymphoma. 2003; 44(8):1385-94 (abstract attached as Exhibit 5) used real-time quantitative PCR and immunohistochemistry to evaluate cyclin D1 mRNA and protein expression levels in mantle cell lymphoma (MCL). *Id.* at Abstract. The authors report that seven of nine cases of possible MCL showed overexpression of cyclin D1 mRNA, while two cases showed no cyclin D1 mRNA increase. *Id.* Similarly, "[s]ix of the seven cyclin D1 mRNA overexpressing cases showed increased cyclin D1 protein on tissue array immunohistochemistry; one was technically suboptimal." *Id.* The authors conclude that the study "demonstrates good correlation and comparability between measure of cyclin D1 mRNA ... and cyclin D1 protein." *Id.* Thus, this reference supports Applicants' assertion.

In a recent study by Khal *et al.* (Int. J. Biochem. Cell Biol. 2005; 37(10):2196-206) (abstract attached as Exhibit 6) the authors report that atrophy of skeletal muscle is common in patients with cancer and results in increased morbidity and mortality. *Id.* at Abstract. To further understand the underlying mechanism, the authors studied the expression of the ubiquitin-proteasome pathway in cancer patient muscle using a competitive RT-PCR to measure expression of mRNA for proteasome subunits C2 and C5, while protein expression was determined by western blotting. "Overall, both C2 and C5 gene expression was increased by about three-fold in skeletal muscle of cachectic cancer patients (average weight loss 14.5+/-2.5%), compared with that in patients without weight loss, with or without cancer. ... There was a good correlation between expression of proteosome 20S alpha subunits, detected by western blotting, and C2 and C5 mRNA, showing that increased gene expression resulted in increased protein synthesis." These findings support Applicants' assertion that changes in mRNA level lead to changes in protein level.

Maruyama *et al.* (Am. J. Patho. 1999; 155(3):815-22) (abstract attached as Exhibit 7) investigated the expression of three Id proteins (Id-1, Id-2 and Id-3) in normal pancreas, in pancreatic cancer and in chronic pancreatitis (CP). The authors report that pancreatic cancer cell lines frequently coexpressed all three Ids, "exhibiting good correlation between Id mRNA and

protein levels." *Id.* at Abstract. In addition, the authors teach that all three Id mRNA levels were expressed at high levels in pancreatic cancer samples compared to normal or CP samples. At the protein level, Id-1 and Id-2 staining was faint in normal tissue, while Id-3 ranged from weak to strong. In contrast, in the cancer tissues "many of the cancer cells exhibited abundant Id-1, Id-2, and Id-3 immunoreactivity," and Id-1 and Id-2 protein was increased significantly in the cancer cells by comparison to the respective controls, mirroring the overexpression at the mRNA level. Thus, the authors report that in both cell lines and tissue samples, increased mRNA levels leads to an increase in protein overexpression, supporting Applicants' assertion.

Support for Applicants' assertion is also found in an article by Caberlotto *et al.* (Neurosci. Lett. 1999; 256(3):191-4) (abstract attached as Exhibit 8). In a previous study, the authors investigated alterations of neuropeptide Y (NPY) mRNA expression in the Flinders Sensitive Line rats (FSL), an animal model of depression. *Id.* at Abstract. The authors reported that in the current study, that NPY-like immunoreactivity (NPY-LI) was decreased in the hippocampal CA region, and increased in the arcuate nucleus, and that fluoxetine treatment elevated NPY-LI in the arcuate and anterior cingulate cortex. The authors state that "[t]he results demonstrate a good correlation between NPY peptide and mRNA expression." Thus, increases and decreases in mRNA levels were reflected in corresponding changes in protein level.

Misrachi and Shemesh (Biol. Reprod. 1999; 61(3):776-84) (abstract attached as Exhibit 9) investigated their hypothesis that FSH regulates the bovine cervical prostaglandin E(2) (PGE(2)) synthesis that is known to be associated with cervical relaxation and opening at the time of estrus. *Id.* at Abstract. Cervical tissue from pre-estrous/estrous, luteal, and postovulatory cows were examined for the presence of bovine (b) FSH receptor (R) and its corresponding mRNA. The authors report that bFSHR mRNA in the cervix was maximal during pre-estrus/estrus, and that the level of FSHR protein was significantly higher in pre-estrous/estrous cervix than in other cervical tissues. *Id.* The authors state that "[t]here was a good correlation between the 75-kDa protein expression and its corresponding transcript of 2.55 kb throughout the estrous cycle as described by Northern blot analysis as well as RT-PCR." *Id.* Thus, changes in the level of mRNA for bFSHR led to corresponding changes in FSHR protein levels, a result which supports Applicants' assertion.

In a study by Stein *et al.* (J. Urol. 2000; 164(3 Pt 2):1026-30) (abstract attached as Exhibit 10), the authors studied the role of the regulation of calcium ion homeostasis in smooth muscle contractility. *Id.* at Abstract. The authors investigated the correlation between sarcoplasmic endoplasmic reticulum, calcium, magnesium, adenosine triphosphatase (SERCA) protein and gene expression, and the contractile properties in the same bladder. Partial bladder outlet obstructions were created in adult New Zealand white rabbits, which were divided into control, sham operated and obstructed groups. Stein *et al.* report that "[t]he relative intensities of signals for the Western [protein] and Northern [mRNA] blots demonstrated a strong correlation between protein and gene expression. ... The loss of SERCA protein expression is mediated by down-regulation in gene expression in the same bladder." *Id.* This report supports Applicants' assertion that changes in mRNA level, *e.g.,* a decrease, lead to a corresponding change in the level of the encoded protein, *e.g.,* a decrease.

In an article by Gou and Xie (Zhonghua Jie He He Hu Xi Za Zhi. 2002; 25(6):337-40) (abstract attached as Exhibit 11) the authors investigated the expression of macrophage migration inhibitory factor (MIF) in human acute respiratory distress syndrome(ARDS) by examining the expression of MIF mRNA and protein in lung or colon tissue in ARDS and normal persons. *Id.* at Abstract. The authors report "undetectable or weak MIF mRNA and protein expression in normal lung or colons. In contrast, there was marked upregulation of MIF mRNA and protein expression in the ARDS lung or colons." *Id.* This is consistent with Applicants' assertion that a change in mRNA for a particular gene, *e.g.,* an increase, generally leads to a corresponding change in the level of protein expression, *e.g.,* an increase.

These studies are representative of numerous published studies which support Applicants' assertion that changes in mRNA level generally lead to corresponding changes in the level of the expressed protein. Applicants submit herewith an addition 70 references (abstracts attached as Exhibit 12) which support Applicants' assertion.

In addition to these supporting references, Applicants also submit herewith additional references which offer support of Applicants' asserted utility.

For example, in an article by Futcher *et al.* (Mol. Cell Biol. 1999; 19(11):7357-68) (abstract attached as Exhibit 13) the authors conducted a study of mRNA and protein expression

in yeast. Futcher *et al.* report "a good correlation between protein abundance, mRNA abundance, and codon bias." *Id.* at Abstract.

In a study which is more closely related to Applicants' asserted utility, Godbout *et al.* (J. Biol. Chem. 1998; 273(33)21161-8) (abstract attached as Exhibit 14) studied the DEAD box gene, DDX1, in retinoblastoma and neuroblastoma tumor cell lines. The authors report that "there is a good correlation with DDX1 gene copy number, DDX1 transcript levels, and DDX1 protein levels in all cell lines studied." *Id.* Thus, in these cancer cell lines, DDX1 mRNA and protein levels are correlated.

Similarly, in an article by Papotti *et al.* (Virchows Arch. 2002; 440(5):461-75) (abstract attached as Exhibit 15) the authors examined the expression of three somatostatin receptors (SSTR) at the mRNA and protein level in forty-six tumors. *Id.* at Abstract. The authors report a "good correlation between RT-PCR [mRNA level] and IHC [protein level] data on SSTR types 2, 3, and 5." *Id.*

Van der Wilt *et al.* (Eur. J. Cancer. 2003; 39(5):691-7) (abstract attached as Exhibit 16) studied deoxycytidine kinase (dCK) in seven cell lines, sixteen acute myeloid leukemia samples, ten human liver samples, and eleven human liver metastases of colorectal cancer origin. *Id.* at Abstract. The authors report that "enzyme activity and protein expression levels of dCK in cell lines were closely related to the mRNA expression levels" and that there was a "good correlation between the different dCK measurements in malignant cells and tumors." *Id.*

Grenback *et al.* (Regul. Pept. 2004; 117(2):127-39) (abstract attached as Exhibit 17) studied the level of galanin in human pituitary adenomas using a specific radioimmunoassay. *Id.* at Abstract. The authors report that "[i]n the tumors analyzed with in situ hybridization there was a good correlation between galanin peptide levels and galanin mRNA expression." *Id.*

Similarly, Shen *et al.* (Blood. 2004; 104(9):2936-9) (abstract attached as Exhibit 18) examined the level of B-cell lymphoma 2 (BCL2) protein expression in germinal center (GC) B-cells and diffuse large B-cell lymphoma (DLBCL). *Id.* at Abstract. The authors report that "GC cells had low expression commensurate with the low protein expression level" and that in DLBCL the level of BCL2 mRNA and protein expression showed "in general, a good corr elation." *Id.*

Likewise, in an article by Fu *et al.* (Blood 2005; 106(13):4315-21) (abstract attached as Exhibit 19) the authors report that six mantle cell lymphomas studied "expressed either cyclin D2 (2 cases) or cyclin D3 (4 cases). " *Id.* at Abstract. "There was a good correlation between cyclin D protein expression and the corresponding mRNA expression levels by gene expression analysis." *Id.*

These examples are only a few of the many references Applicants could cite in rebuttal to the PTO's arguments. Applicants submit herewith 26 additional references (abstracts attached as Exhibit 20) which also support Applicants' assertion in that they report a correlation between the level of mRNA and corresponding protein, contrary to the assertion of the PTO that mRNA and protein levels are not correlated.

In summary, Applicants submit herewith a total of 148 references, in addition to the declarations and references already of record, to support Applicants' asserted utility. These references support the assertion that in general, a change in DNA levels for a particular gene leads to a corresponding change in the protein levels. As Applicants have previously acknowledged, the correlation between changes in DNA levels and protein levels is not exact, and there are exceptions (*see, e.g.,* abstracts attached as Exhibit 21). However, Applicants remind the PTO that the asserted utility does not have to be established to a statistical certainty, or beyond a reasonable doubt. *See M.P.E.P.* at § 2107.02, part VII (2004). Therefore, the fact that there are exceptions to the correlation between changes in DNA and changes in protein does not provide a proper basis for rejecting Applicants' asserted utility. Applicants submit that considering the evidence as a whole, with the overwhelming majority of the evidence supporting Applicants' asserted utility, a person of skill in the art would conclude that Applicants' asserted utility is "more likely than not true." *Id.*

Therefore, Applicants request that the Examiner reconsider this rejection and maintain that they have demonstrated utility for the PRO1111 polypeptide and its antibodies as a lung or colon tumor marker. Accordingly, the present rejection should be withdrawn.

Claim Rejections – 35 U.S.C. §102

1) Claims 119-121 remain rejected under 35 U.S.C. §102(a) or (b) as being anticipated by Jacobs, WO 99/50405 (pub 10/7/1999).

2) Claims 119-121 and 123 remain rejected under 35 U.S.C. §102(e) as being anticipated by Shimkets, U.S. Patent No. 6,689,866 or U.S. Patent Pub US2003/0054514 or U.S. Patent Pub US2003/0003532 (dated 3/8/00).

For the same reasons discussed above, Applicants believe they are at least entitled to an effective filing date of **June 23, 1999** based on the results of the 'gene amplification' assay for Claims 119-121 and 123, and this date precedes the publication date for Jacobs and Shimkets. Therefore, neither Jacobs nor Shimkets are prior art. Therefore, these rejections should be withdrawn.

Claim Rejections – 35 U.S.C. §103(a)

1) Claims 119-120 and 123 remain rejected under 35 U.S.C. §103(a) as being obvious over any one loci AI769814, AI435407, AI470931 or T15752 in view of Sibson et al.

2) Claim 121 remains rejected under 35 U.S.C. §103(a) as being obvious over any one loci AI769814, AI435407, AI470931 or T15752 in view of Sibson et al. and further in view of USPN 5,565,332 (Hoogenboom) in the case of Claim 121, or in view of U.S. Patent No. 4,946,778 (Ladner) in the case of Claim 122.

In order to make a proper 103(a) rejection, the reference(s) either alone or in combination must teach the claimed invention.

As discussed clearly in the previous response, neither the primary references, loci AI769814, AI435407, AI470931 or T15752, nor the secondary references Sibson, Hoogenboom or Ladner, individually or collectively teach the polypeptide SEQ ID NO: 229. Applicants have previously drawn the Examiner's attention to the fact that the instant case is directed to **antibodies**, particularly, to antibodies to the polypeptide of SEQ ID NO: 229, and **not to nucleic acids**. Applicants note that the loci AI769814, AI435407, AI470931 or T15752 sequences are nucleic acid EST sequences. Further, the polypeptides encoded by AI769814, AI435407, AI470931 or T15752 were not reduced to practice in the cited art nor did the art provide any disclosure whatsoever of the full-length polypeptide encoded for by any of the cited nucleic acid fragments. SEQ ID NO:229 is a full length coding polypeptide. The teachings of AI769814, AI435407, AI470931 or T15752 do not teach SEQ ID NO:229, a full length coding polypeptide, and hence, are not prior art.

Since the primary references fall as 103(a) references, and Sibson or Hoogenboom or Ladner do not teach SEQ ID NOs: 229 of the instant application, this rejection falls and should be withdrawn.

3) Claim 123 remains rejected under 35 U.S.C. §103(a) as being obvious over Jacobs, WO99/50405 (dated pub 10/7/1999).

For the same reasons discussed above, Applicants believe they are at least entitled to an effective filing date of **June 23, 1999** based on the results of the 'gene amplification' assay for Claims 119-121 and 123, and this date precedes the publication date for Jacobs. Accordingly, this rejection should be withdrawn.

The present application is believed to be in *prima facie* condition for allowance, and an early action to that effect is respectfully solicited.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. **08-1641**, referencing Attorney's Docket No. **39780-2730P1C18**). Please direct any calls in connection with this application to the undersigned at the number provided below.

Respectfully submitted,

Date: August 4, 2006

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SECOND DECLARATION OF PAUL POLAKIS, Ph.D.

I, Paul Polakis, Ph.D., declare and say as follows:

1. I am currently employed by Genentech, Inc. where my job title is Staff Scientist.

2. Since joining Genentech in 1999, one of my primary responsibilities has been leading Genentech's Tumor Antigen Project, which is a large research project with a primary focus on identifying tumor cell markers that find use as targets for both the diagnosis and treatment of cancer in humans.

3. As I stated in my previous Declaration dated May 7, 2004 (attached as Exhibit A), my laboratory has been employing a variety of techniques, including microarray analysis, to identify genes which are differentially expressed in human tumor tissue relative to normal human tissue. The primary purpose of this research is to identify proteins that are abundantly expressed on certain human tumor tissue(s) and that are either (i) not expressed, or (ii) expressed at detectably lower levels, on normal tissue(s).

4. In the course of our research using microarray analysis, we have identified approximately 200 gene transcripts that are present in human tumor tissue at significantly higher levels than in normal human tissue. To date, we have successfully generated antibodies that bind to 31 of the tumor antigen proteins expressed from these differentially expressed gene transcripts and have used these antibodies to quantitatively determine the level of production of these tumor antigen proteins in both human tumor tissue and normal tissue. We have then quantitatively compared the levels of mRNA and protein in both the tumor and normal tissues analyzed. The results of these analyses are attached herewith as Exhibit B. In Exhibit B, "+" means that the mRNA or protein was detectably overexpressed in the tumor tissue relative to normal tissue and "-" means that no detectable overexpression was observed in the tumor tissue relative to normal tissue.

5. As shown in Exhibit B, of the 31 genes identified as being detectably overexpressed in human tumor tissue as compared to normal human tissue at the mRNA level, 28 of them (i.e., greater than 90%) are also detectably overexpressed in human tumor tissue as compared to normal human tissue at the protein level. As such, in the cases where we have been able to quantitatively measure both (i) mRNA and (ii) protein levels in both (i) tumor tissue and (ii) normal tissue, we have observed that in the vast majority of cases, there is a very strong correlation between increases in mRNA expression and increases in the level of protein encoded by that mRNA.

6. Based upon my own experience accumulated in more than 20 years of research, including the data discussed in paragraphs 4-5 above and my knowledge of the relevant scientific literature, it is my considered scientific opinion that for human genes, an increased level of mRNA in a tumor tissue relative to a normal tissue more often than not correlates to a similar increase in abundance of the encoded protein in the tumor tissue relative to the normal tissue. In fact, it remains a generally accepted working assumption in molecular biology that increased mRNA levels are more often than not predictive of elevated levels of the encoded protein. In fact, an entire industry focusing on the research and development of therapeutic antibodies to treat a variety of human diseases, such as cancer, operates on this working assumption.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information or belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 3-29-06

By: Paul Polakis

Paul Polakis, Ph.D.

EXHIBIT A

DECLARATION OF PAUL POLAKIS, Ph.D.

I, Paul Polakis, Ph.D., declare and say as follows:

1. I was awarded a Ph.D. by the Department of Biochemistry of the Michigan State University in 1984. My scientific Curriculum Vitae is attached to and forms part of this Declaration (Exhibit A).

2. I am currently employed by Genentech, Inc. where my job title is Staff Scientist. Since joining Genentech in 1999, one of my primary responsibilities has been leading Genentech's Tumor Antigen Project, which is a large research project with a primary focus on identifying tumor cell markers that find use as targets for both the diagnosis and treatment of cancer in humans.

3. As part of the Tumor Antigen Project, my laboratory has been analyzing differential expression of various genes in tumor cells relative to normal cells. The purpose of this research is to identify proteins that are abundantly expressed on certain tumor cells and that are either (i) not expressed, or (ii) expressed at lower levels, on corresponding normal cells. We call such differentially expressed proteins "tumor antigen proteins". When such a tumor antigen protein is identified, one can produce an antibody that recognizes and binds to that protein. Such an antibody finds use in the diagnosis of human cancer and may ultimately serve as an effective therapeutic in the treatment of human cancer.

4. In the course of the research conducted by Genentech's Tumor Antigen Project, we have employed a variety of scientific techniques for detecting and studying differential gene expression in human tumor cells relative to normal cells, at genomic DNA, mRNA and protein levels. An important example of one such technique is the well known and widely used technique of microarray analysis which has proven to be extremely useful for the identification of mRNA molecules that are differentially expressed in one tissue or cell type relative to another. In the course of our research using microarray analysis, we have identified approximately 200 gene transcripts that are present in human tumor cells at significantly higher levels than in corresponding normal human cells. To date, we have generated antibodies that bind to about 30 of the tumor antigen proteins expressed from these differentially expressed gene transcripts and have used these antibodies to quantitatively determine the level of production of these tumor antigen proteins in both human cancer cells and corresponding normal cells. We have then compared the levels of mRNA and protein in both the tumor and normal cells analyzed.

5. From the mRNA and protein expression analyses described in paragraph 4 above, we have observed that there is a strong correlation between changes in the level of mRNA present in any particular cell type and the level of protein

expressed from that mRNA in that cell type. In approximately 80% of our observations we have found that increases in the level of a particular mRNA correlates with changes in the level of protein expressed from that mRNA when human tumor cells are compared with their corresponding normal cells.

6. Based upon my own experience accumulated in more than 20 years of research, including the data discussed in paragraphs 4 and 5 above and my knowledge of the relevant scientific literature, it is my considered scientific opinion that for human genes, an increased level of mRNA in a tumor cell relative to a normal cell typically correlates to a similar increase in abundance of the encoded protein in the tumor cell relative to the normal cell. In fact, it remains a central dogma in molecular biology that increased mRNA levels are predictive of corresponding increased levels of the encoded protein. While there have been published reports of genes for which such a correlation does not exist, it is my opinion that such reports are exceptions to the commonly understood general rule that increased mRNA levels are predictive of corresponding increased levels of the encoded protein.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information or belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 5/07/04

By: Paul Polakis

Paul Polakis, Ph.D.

CURRICULUM VITAE

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1999- 2002	Senior Scientist, Genentech, Inc., S. San Francisco, CA
1997 -1999	Research Director Onyx Pharmaceuticals, Richmond, CA
1992- 1996	Senior Scientist, Project Leader, Onyx Pharmaceuticals, Richmond, CA
1991-1992	Senior Scientist, Chiron Corporation, Emeryville, CA.
1989-1991	Scientist, Cetus Corporation, Emeryville CA.
1987-1989	Postdoctoral Research Associate, Genentech, Inc., South SanFrancisco, CA.
1985-1987	Postdoctoral Research Associate, Department of Medicine, Duke University Medical Center, Durham, NC

1984-1985	Assistant Professor, Department of Chemistry, Oberlin College, Oberlin, Ohio
1980-1984	Graduate Research Assistant, Department of Biochemistry, Michigan State University East Lansing, Michigan

PUBLICATIONS:

1. **Polakis, P G.** and Wilson, J. E. 1982 Purification of a Highly Bindable Rat Brain Hexokinase by High Performance Liquid Chromatography. **Biochem. Biophys. Res. Commun.** 107, 937-943.

2. **Polakis, P.G.** and Wilson, J. E. 1984 Proteolytic Dissection of Rat Brain Hexokinase: Determination of the Cleavage Pattern during Limited Digestion with Trypsin. **Arch. Biochem. Biophys.** 234, 341-352.

3. **Polakis, P. G.** and Wilson, J. E. 1985 An Intact Hydrophobic N-Terminal Sequence is Required for the Binding Rat Brain Hexokinase to Mitochondria. **Arch. Biochem. Biophys.** 236, 328-337.

4. Uhing, R.J., **Polakis,P.G.** and Snyderman, R. 1987 Isolaton of GTP-binding Proteins from Myeloid HL60 Cells. **J. Biol. Chem.** 262, 15575-15579.

5. **Polakis, P.G.**, Uhing, R.J. and Snyderman, R. 1988 The Formylpeptide Chemoattractant Receptor Copurifies with a GTP-binding Protein Containing a Distinct 40 kDa Pertussis Toxin Substrate. **J. Biol. Chem.** 263, 4969-4979.

6. Uhing, R. J., Dillon, S., **Polakis, P. G.**, Truett, A. P. and Snyderman, R. 1988 Chemoattractant Receptors and Signal Transduction Processes in Cellular and Molecular Aspects of Inflammation (Poste, G. and Crooke, S. T. eds.) pp 335-379.

7. **Polakis, P.G.**, Evans, T. and Snyderman 1989 Multiple Chromatographic Forms of the Formylpeptide Chemoattractant Receptor and their Relationship to GTP-binding Proteins. **Biochem. Biophys. Res. Commun.** 161, 276-283.

8. **Polakis, P. G.**, Snyderman, R. and Evans, T. 1989 Characterization of G25K, a GTP-binding Protein Containing a Novel Putative Nucleotide Binding Domain. **Biochem. Biophys. Res. Comun.** 160, 25-32.

9. **Polakis, P.**, Weber,R.F., Nevins,B., Didsbury, J. Evans,T. and Snyderman, R. 1989 Identification of the ral and rac1 Gene Products, Low Molecular Mass GTP-binding Proteins from Human Platelets. **J. Biol. Chem.** 264, 16383-16389.

10. Snyderman, R., Perianin, A., Evans, T., **Polakis, P.** and Didsbury, J. 1989 G Proteins and Neutrophil Function. In ADP-Ribosylating Toxins and G Proteins: Insights into Signal Transduction. (J. Moss and M. Vaughn, eds.) Amer. Soc. Microbiol. pp. 295-323.

11. Hart, M.J., **Polakis, P.G.**, Evans, T. and Cerrione, R.A. 1990 The Identification and Charaterization of an Epidermal Growth Factor-Stimulated Phosphorylation of a Specific Low Molecular Mass GTP-binding Protein in a Reconstituted Phospholipid Vesicle System. **J. Biol. Chem.** 265, 5990-6001.

12. Yatani, A., Okabe, K., **Polakis, P.** Halenbeck, R. McCormick, F. and Brown, A. M. 1990 ras p21 and GAP Inhibit Coupling of Muscarinic Receptors to Atrial K^+ Channels. **Cell.** 61, 769-776.

13. Munemitsu, S., Innis, M.A., Clark, R., McCormick, F., Ullrich, A. and **Polakis, P.G.** 1990 Molecular Cloning and Expression of a G25K cDNA, the Human Homolog of the Yeast Cell Cycle Gene CDC42. **Mol. Cell. Biol.** 10, 5977-5982.

14. Polakis, P.G. Rubinfeld, B. Evans, T. and McCormick, F. 1991 Purification of Plasma Membrane-Associated GTPase Activating Protein (GAP) Specific for rap-1/krev-1 from HL60 Cells. **Proc. Natl. Acad. Sci. USA** 88, 239-243.

15. Moran, M. F., **Polakis, P.**, McCormick, F., Pawson, T. and Ellis, C. 1991 Protein Tyrosine Kinases Regulate the Phosphorylation, Protein Interactions, Subcellular Distribution, and Activity of p21ras GTPase Activating Protein. **Mol. Cell. Biol. 11,** 1804-1812

16. Rubinfeld, B., Wong, G., Bekesi, E. Wood, A. McCormick, F. and **Polakis, P. G.** 1991 A Synthetic Peptide Corresponding to a Sequence in the GTPase Activating Protein Inhibits $p21^{ras}$ Stimulation and Promotes Guanine Nucleotide Exchange. **Internatl. J. Peptide and Prot. Res.** 38, 47-53.

17. Rubinfeld, B., Munemitsu, S., Clark, R., Conroy, L., Watt, K., Crosier, W., McCormick, F., and **Polakis, P.** 1991 Molecular Cloning of a GTPase Activating Protein Specific for the Krev-1 Protein $p21^{rap1}$. **Cell** 65, 1033-1042.

18. Zhang, K. Papageorge, A., G., Martin, P., Vass, W. C., Olah, Z., **Polakis, P.**, McCormick, F. and Lowy, D, R. 1991 Heterogenous Amino Acids in RAS and Rap1A Specifying Sensitivity to GAP Proteins. **Science** 254, 1630-1634.

19. Martin, G., Yatani, A., Clark, R., **Polakis, P.**, Brown, A. M. and McCormick, F. 1992 GAP Domains Responsible for $p21^{ras}$-dependent Inhibition of Muscarinic Atrial K^+ Channel Currents. **Science** 255, 192-194.

20. McCormick, F., Martin, G. A., Clark, R., Bollag, G. and **Polakis, P**. 1992 Regulation of p21ras by GTPase Activating Proteins. Cold Spring Harbor **Symposia on Quantitative Biology**. Vol. 56, 237-241.

21. Pronk, G. B., **Polakis, P.**, Wong, G., deVries-Smits, A. M., Bos J. L. and McCormick, F. 1992 $p60^{v\text{-}src}$ Can Associate with and Phosphorylate the $p21^{ras}$ GTPase Activating Protein. **Oncogene** 7,389-394.

22. Polakis P. and McCormick, F. 1992 Interactions Between $p21^{ras}$ Proteins and Their GTPase Activating Proteins. In **Cancer Surveys** (Franks, L. M., ed.) 12, 25-42.

23. Wong, G., Muller, O., Clark, R., Conroy, L., Moran, M., **Polakis,P.** and McCormick, F. 1992 Molecular coloning and nucleic acid binding properties of the GAP-associated tyrosine phosphoprotein p62. **Cell** 69, 551-558.

24. **Polakis, P.**, Rubinfeld, B. and McCormick, F. 1992 Phosphorylation of rap1GAP in vivo and by cAMP-dependent Kinase and the Cell Cycle $p34^{cdc2}$ Kinase in vitro. **J. Biol. Chem.** 267, 10780-10785.

25. McCabe, P.C., Haubrauck, H., **Polakis, P.**, McCormick, F., and Innis, M. A. 1992 Functional Interactions Between $p21^{rap1A}$ and Components of the Budding pathway of *Saccharomyces cerevisiae*. **Mol. Cell. Biol.** 12, 4084-4092.

26. Rubinfeld, B., Crosier, W.J., Albert, I., Conroy,L., Clark, R., McCormick, F. and **Polakis, P.** 1992 Localization of the rap1GAP Catalytic Domain and Sites of Phosphorylation by Mutational Analysis. **Mol. Cell . Biol.** 12, 4634-4642.

27. Ando, S., Kaibuchi, K., Sasaki, K., Hiraoka, T., Nishiyama, T., Mizuno, T., Asada, M., Nunoi, H., Matsuda, I., Matsuura, Y., **Polakis, P.**, McCormick, F. and Takai, Y. 1992 Post-translational processing of rac p21s is important both for their interaction with the GDP/GTP exchange proteins and for their activation of NADPH oxidase. **J. Biol. Chem.** 267, 25709-25713.

28. Janoueix-Lerosey, I., **Polakis, P.**, Tavitian, A. and deGunzberg, J. 1992 Regulation of the GTPase activity of the ras-related rap2 protein. **Biochem. Biophys. Res. Commun.** 189, 455-464.

29. **Polakis, P.** 1993 GAPs Specific for the rap1/Krev-1 Protein. in GTP-binding Proteins: the *ras*-superfamily. (J.C. LaCale and F. McCormick, eds.) 445-452.

30. **Polakis, P.** and McCormick, F. 1993 Structural requirements for the interaction of $p21^{ras}$ with GAP, exchange factors, and its bological effector target. **J. Biol Chem.** 268, 9157-9160.

31. Rubinfeld, B., Souza, B. Albert, I., Muller, O., Chamberlain, S., Masiarz, F., Munemitsu, S. and **Polakis, P.** 1993 Association of the APC gene product with beta- catenin. **Science** 262, 1731-1734.

32. Weiss, J., Rubinfeld, B., **Polakis, P.**, McCormick, F. Cavenee, W. A. and Arden, K. 1993 The gene for human rap1-GTPase activating protein (rap1GAP) maps to chromosome 1p35-1p36.1. **Cytogenet. Cell Genet.** 66, 18-21.

33. Sato, K. Y., **Polakis, P.**, Haubruck, H., Fasching, C. L., McCormick, F. and Stanbridge, E. J. 1994 Analysis of the tumor suppressor acitvity of the K-rev gene in human tumor cell lines. **Cancer Res.** 54, 552-559.

34. Janoueix-Lerosey, I., Fontenay, M., Tobelem, G., Tavitian, A., **Polakis, P.** and DeGunzburg, J. 1994 Phosphorylation of rap1GAP during the cell cycle. **Biochem. Biophys. Res. Commun.** 202, 967-975

35. Munemitsu, S., Souza, B., Mueller, O., Albert, I., Rubinfeld, B., and **Polakis, P.** 1994 The APC gene product associates with microtubules in vivo and affects their assembly in vitro. **Cancer Res.** 54, 3676-3681.

36. Rubinfeld, B. and **Polakis, P.** 1995 Purification of baculovirus produced rap1GAP. **Methods Enz.** 255,31

37. **Polakis, P.** 1995 Mutations in the APC gene and their implications for protein structure and function: **Current Opinions in Genetics and Development** 5, 66-71

38. Rubinfeld, B., Souza, B., Albert, I., Munemitsu, S. and **Polakis P.** 1995 The APC protein and E-cadherin form similar but independent complexes with α-catenin, β-catenin and Plakoglobin. **J. Biol. Chem.** 270, 5549-5555

39. Munemitsu, S., Albert, I., Souza, B., Rubinfeld, B., and **Polakis, P.** 1995 Regulation of intracellular β-catenin levels by the APC tumor suppressor gene. **Proc. Natl. Acad. Sci.** 92, 3046-3050.

40. Lock, P., Fumagalli, S., **Polakis, P.** McCormick, F. and Courtneidge, S. A. 1996 The human p62 cDNA encodes Sam68 and not the rasGAP-associated p62 protein. **Cell** 84, 23-24.

41. Papkoff, J., Rubinfeld, B., Schryver, B. and **Polakis, P.** 1996 Wnt-1 regulates free pools of catenins and stabilizes APC-catenin complexes. **Mol. Cell. Biol.** 16, 2128-2134.

42. Rubinfeld, B., Albert, I., Porfiri, E., Fiol, C., Munemitsu, S. and **Polakis, P.** 1996 Binding of GSK3β to the APC-β-catenin complex and regulation of complex assembly. **Science** 272, 1023-1026.

43. Munemitsu, S., Albert, I., Rubinfeld, B. and **Polakis, P.** 1996 Deletion of amino-terminal structure stabilizes β-catenin in vivo and promotes the hyperphosphorylation of the APC tumor suppressor protein. **Mol. Cell. Biol.**16, 4088-4094.

44. Hart, M. J., Callow, M. G., Sousa, B. and **Polakis P.** 1996 IQGAP1, a calmodulin binding protein witha rasGAP related domain, is a potential effector for cdc42Hs. **EMBO J.** 15, 2997-3005.

45. Nathke, I. S., Adams, C. L., **Polakis, P.**, Sellin, J. and Nelson, W. J. 1996 The adenomatous polyposis coli (APC) tumor suppressor protein is localized to plasma membrane sites involved in active epithelial cell migration. **J. Cell. Biol.** 134, 165-180.

46. Hart, M. J., Sharma, S., elMasry, N., Qui, R-G., McCabe, P., **Polakis, P.** and Bollag, G. 1996 Identification of a novel guanine nucleotide exchange factor for the rho GTPase. **J. Biol. Chem.** 271, 25452.

47. Thomas JE, Smith M, Rubinfeld B, Gutowski M, Beckmann RP, and **Polakis P.** 1996 Subcellular localization and analysis of apparent 180-kDa and 220-kDa proteins of the breast cancer susceptibility gene, BRCA1. **J. Biol. Chem.** 1996 271, 28630-28635

48. Hayashi, S., Rubinfeld, B., Souza, B., **Polakis, P.**, Wieschaus, E., and Levine, A. 1997 A Drosophila homolog of the tumor suppressor adenomatous polyposis coli

down-regulates β -catenin but its zygotic expression is not essential for the regulation of armadillo. **Proc. Natl. Acad. Sci.** 94, 242-247.

49. Vleminckx, K., Rubinfeld, B., **Polakis, P.** and Gumbiner, B. 1997 The APC tumor suppressor protein induces a new axis in Xenopus embryos. **J. Cell. Biol.** 136, 411-420.

50. Rubinfeld, B., Robbins, P., El-Gamil, M., Albert, I., Porfiri, P. and **Polakis, P.** 1997 Stabilization of β-catenin by genetic defects in melanoma cell lines. **Science** 275, 1790-1792.

51. Polakis, P. The adenomatous polyposis coli (APC) tumor suppressor. 1997 **Biochem. Biophys. Acta**, 1332, F127-F147.

52. Rubinfeld, B., Albert, I., Porfiri, E., Munemitsu, S., and **Polakis, P.** 1997 Loss of β-catenin regulation by the APC tumor suppressor protein correlates with loss of structure due to common somatic mutations of the gene. **Cancer Res.** 57, 4624-4630.

53. Porfiri, E., Rubinfeld, B., Albert, I., Hovanes. K., Waterman, M., and **Polakis, P.** 1997 Induction of a β-catenin-LEF-1 complex by wnt-1 and transforming mutants of β-catenin. **Oncogene** 15, 2833-2839.

54. Thomas JE, Smith M, Tonkinson JL, Rubinfeld B, and **Polakis P.,** 1997 Induction of phosphorylation on BRCA1 during the cell cycle and after DNA damage. **Cell Growth Differ.** 8, 801-809.

55. Hart, M., de los Santos, R., Albert, I., Rubinfeld, B., and **Polakis P.,** 1998 Down regulation of β-catenin by human Axin and its association with the adenomatous polyposis coli (APC) tumor suppressor, β-catenin and glycogen synthase kinase 3β. **Current Biology 8,** 573-581.

56. Polakis, P. 1998 The oncogenic activation of β-catenin. **Current Opinions in Genetics and Development** 9, 15-21

57. Matt Hart, Jean-Paul Concordet, Irina Lassot, Iris Albert, Rico del los Santos, Herve Durand, Christine Perret, Bonnee Rubinfled, Florence Margottin, Richard Benarous and **Paul Polakis.** 1999 The F-box protein β–TrCP associates with phosphorylated β–catenin and regulates its activity in the cell. **Current Biology** 9, 207-10.

58. Howard C. Crawford, Barbara M. Fingleton, Bonnee Rubinfeld, **Paul Polakis** and Lynn M. Matrisian 1999 The metalloproteinase matrilysin is a target of β–catenin transactivation in intestinal tumours. **Oncogene** 18, 2883-91.

59. Meng J, Glick JL, **Polakis P,** Casey PJ. 1999 Functional interaction between Galpha(z) and Rap1GAP suggests a novel form of cellular cross-talk. **J Biol Chem.** 17, 36663-9

60. Vijayasurian Easwaran, Virginia Song, **Paul Polakis** and Steve Byers 1999 The ubiquitin-proteosome pathway and serine kinase activity modulate APC mediated regulation of β-catenin-LEF signaling. **J. Biol. Chem.** 274(23):16641-5.

61 Polakis P, Hart M and Rubinfeld B. 1999 Defects in the regulation of beta-catenin in colorectal cancer. **Adv Exp Med Biol.** 470, 23-32

62 Shen Z, Batzer A, Koehler JA, **Polakis P**, Schlessinger J, Lydon NB, Moran MF. 1999 Evidence for SH3 domain directed binding and phosphorylation of Sam68 by Src. **Oncogene**. 18, 4647-53

64. Thomas GM, Frame S, Goedert M, Nathke I, **Polakis P**, Cohen P. 1999 A GSK3- binding peptide from FRAT1 selectively inhibits the GSK3-catalysed phosphorylation of axin and beta-catenin. **FEBS Lett.** 458, 247-51.

65. Peifer M, **Polakis P.** 2000 Wnt signaling in oncogenesis and embryogenesis--a look outside the nucleus. **Science** 287,1606-9.

66. **Polakis P.** 2000 Wnt signaling and cancer. **Genes Dev**;14, 1837-1851.

67. Spink KE, **Polakis P**, Weis WI 2000 Structural basis of the Axin-adenomatous polyposis coli interaction. **EMBO J** 19, 2270-2279.

68. Szeto , W., Jiang, W., Tice, D.A., Rubinfeld, B., Hollingshead, P.G., Fong, S.E., Dugger, D.L., Pham, T., Yansura, D.E., Wong, T.A., Grimaldi, J.C., Corpuz, R.T., Singh J.S., Frantz, G.D., Devaux, B., Crowley, C.W., Schwall, R.H., Eberhard, D.A., Rastelli, L., **Polakis, P.** and Pennica, D. 2001 Overexpression of the Retinoic Acid-Responsive Gene Stra6 in Human Cancers and its Synergistic Induction by Wnt-1 and Retinoic Acid. **Cancer Res** 61, 4197-4204.

69. Rubinfeld B, Tice DA, **Polakis P.** 2001 Axin dependent phosphorylation of the adenomatous polyposis coli protein mediated by casein kinase 1 epsilon. **J Biol Chem** 276, 39037-39045.

---

70. **Polakis P.** 2001 More than one way to skin a catenin. **Cell** 2001 105, 563-566.

71. Tice DA, Soloviev I, **Polakis P.** 2002 Activation of the Wnt Pathway Interferes withSerum Response Element-driven Transcription of Immediate Early Genes. **J Biol. Chem.** 277, 6118-6123.

72. Tice DA, Szeto W, Soloviev I, Rubinfeld B, Fong SE, Dugger DL, Winer J,

Williams PM, Wieand D, Smith V, Schwall RH, Pennnica D, **Polakis P.** 2002 Synergistic activation of tumor antigens by wnt-1 signaling and retinoic acid revealed by gene expression profiling. **J Biol Chem.** 277,14329-14335.

73. **Polakis, P.** 2002 Casein kinase I: A wnt'er of disconnect. **Curr. Biol.** 12, R499.

74. Mao,W. , Luis, E., Ross, S., Silva, J., Tan, C., Crowley, C., Chui, C., Franz, G., Senter, P., Koeppen, H., **Polakis, P.** 2004 EphB2 as a therapeutic antibody drug target for the treatment of colorectal cancer. **Cancer Res.** 64, 781-788.

75. Shibamoto, S., Winer, J., Williams, M., Polakis, P. 2003 A Blockade in Wnt signaling is activated following the differentiation of F9 teratocarcinoma cells. **Exp. Cell Res.** 29211-20.

76. Zhang Y, Eberhard DA, Frantz GD, Dowd P, Wu TD, Zhou Y, Watanabe C, Luoh SM, **Polakis P,** Hillan KJ, Wood WI, Zhang Z. 2004 GEPIS--quantitative gene expression profiling in normal and cancer tissues. **Bioinformatics,** April 8

EXHIBIT B

	tumor mRNA	tumor IHC
UNQ2525	+	+
UNQ2378	+	+
UNQ972	+	-
UNQ97671	+	+
UNQ2964	+	+
UNQ323	+	+
UNQ1655	+	+
UNQ2333	+	+
UNQ9638	+	+
UNQ8209	+	+
UNQ6507	+	+
UNQ8196	+	+
UNQ9109	+	+
UNQ100	+	+
UNQ178	+	+
UNQ1477	+	+
UNQ1839	+	+
UNQ2079	+	+
UNQ8782	+	+
UNQ9646	+	-
UNQ111	+	+
UNQ3079	+	+
UNQ8175	+	+
UNQ9509	+	+
UNQ10978	+	-
UNQ2103	+	+
UNQ1563	+	+
UNQ16188	+	+
UNQ13589	+	+
UNQ1078	+	+
UNQ879	+	+